

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

NESTOR LEON,)	
)	
Petitioner,)	
vs.)	NO. CIV-21-0091-HE
)	
SR GRANT,)	
)	
Respondent.)	

ORDER

Petitioner Nestor Leon, a state prisoner appearing *pro se*, filed a petition for writ of habeas corpus alleging that his due process rights were violated. The matter was referred to Magistrate Judge Shon T. Erwin pursuant to 28 U.S.C. § 636(b)(1)(B) & (C) for initial proceedings. Petitioner also filed a motion to proceed *in forma pauperis*. Judge Erwin issued a Report and Recommendation recommending that the motion be denied. In response, petitioner filed a motion for extension of time to pay the filing fee. The court granted this motion ordering petitioner to pay the filing fee not later than March 31, 2021.

Petitioner has not paid his filing fee or otherwise responded to the court's order. Accordingly, the Report and Recommendation [Doc. # 6] is **ADOPTED**, and the petition is dismissed without prejudice for failure to pay the filing fee.

IT IS SO ORDERED.

Dated this 14th day of April, 2021.



JOE HEATON
UNITED STATES DISTRICT JUDGE